# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 10/082,348 | 02/26/2002 | Pasi Laurila | P 290657 2990360US/SML/ko | 9575 |

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| 29683 | 7590 | 05/11/2010 | EXAMINER | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on _26 January 2010_.
2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) _1-7,9-23,25 and 27-33_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-7,9-23,25 and 27-33_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All  b)☐ Some *  c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1.     The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2.     Claims  1-7,  10-11,  13-22  are  rejected  under  35  U.S.C. 102(e)  as  being

anticipated by Forslow (20030039237).

Regarding claim 1 Forslow teaches a method comprising:

in response to an establishment a connection between a serving network (GSM,

fig. 9) and a terminal (mobile station 102, fig. 9) via a subscriber application comprised

by the terminal arranging communication between the terminal and a subscriber

database (common access server/ISP 130, fig. 9, single or combination) by Internet

Protocol based data, where said subscriber database (common access server/ISP 130,

fig. 9, single or combination) comprises subscriber data similar to data stored in the

subscriber application comprised by the terminal (mobile station 102, fig. 9), the

subscriber data including authentication information, where there is a functional

connection between a bearer network (GPRS) and said subscriber database (The

common access server matches the provided information with the stored information

and authenticates the mobile para. # 0075, 0099-0101, fig. 12 and 13);

performing automated checking of a right of the terminal (mobile station 102, fig. 9) to use said subscriber database (para. # 0100-0101);

automatically transmitting, from the subscriber database (common access server/ISP 130, fig. 9, single or combination), subscriber data to the terminal, the serving network, or the terminal and the serving network, in response to the terminal having the right to use said subscriber database and in response to acceptable authentication of the subscriber database in the bearer network (para. # 0100-0105, fig. 12 and 13);

where services of the bearer network are activated for use for the terminal by means of said transmitted subscriber data and modifying the subscriber database contents based on data received from the terminal (para. # 0104-0105).

Regarding claim 13 Forslow teaches a telecommunication system comprising:

at least one terminal (mobile station 102, fig. 9);

a serving network (GSM) providing the terminal with services (para. # 0075);

at least one bearer network (GPRS) in functional connection with the serving network (GSM), wherein the bearer network is configured to create at least one database comprising subscriber data associated with a subscriber, a functional connection being configured between said at least one subscriber database and the bearer network, said subscriber data being similar to the data stored in a subscriber

application comprised by the terminal, the subscriber data including authentication information (para. # 0075, 0099-0101, fig. 12 and 13, see detail in claim 1);

the terminal and the serving network are configured to establish a connection by means of the subscriber application comprised by the terminal (para. # 0075, 0099-0101, fig. 12 and 13);

the terminal and the serving network are configured to arrange Internet Protocol based data transmission communication between the terminal and said subscriber database (para. # 0075, 0099-0101, fig. 12 and 13);

said subscriber database is configured to perform automated checking of the right of the terminal to use said subscriber database (para. # 0075, 0099-0101, fig. 12 and 13);

automatic submission of subscriber data is configured in the system, from the subscriber database to the terminal, the serving network, or the terminal and the serving network, in response to the terminal having the right to use said subscriber database and in response to acceptable authentication of the subscriber database in the bearer network (para. # 0075, 0099-0105, fig. 12 and 13);

communication service provision for the terminal is configured in the system in accordance with at least said transmitted subscriber data, wherein the system is configured to activate services of the bearer network for use for the terminal by means of said transmitted subscriber data and the terminal is configured to transmit data to

said subscriber database to modify the subscriber database contents (para. # 0075, 0099-0101).

Regarding claims 2, 14 Forslow teaches wherein said subscriber data to be transmitted comprise a subscriber identifier (para. # 0099-0100, fig. 12 and 13).

Regarding claims 3,15 Forslow teaches wherein said subscriber data to be transmitted to the serving network comprise a subscriber identifier according to said subscriber database; said subscriber identifier is associated in the serving network with the identifier of the subscriber application comprised by the terminal; the terminal is identified outside the serving network on the basis of said subscriber identifier; and data to the subscriber of said subscriber database are directed in the serving network to the terminal (para. # 0075, 0099-0105, fig. 12 and 13).

Regarding claims 4, 16, 28 Forslow teaches wherein the address of said subscriber database, such as an IP address, is transmitted from the terminal to the serving network; and a connection is established from the terminal to said subscriber database on the basis of the address of said subscriber database (para. # 0075, 0099-0105, fig. 12 and 13).

Regarding claims 5, 17 Forslow teaches transmitting location information about the terminal to at least one bearer network; and transmitting data directed to the subscriber of said subscriber database to the serving network on the basis of said location information (para. # 0075, 0099-0105).

Regarding claims 6, 19, 30 Forslow teaches wherein said subscriber data comprise information about the services to be provided for the subscriber (para. # 0075, 0099-0105).

Regarding claims 7, 18 Forslow teaches wherein said subscriber data comprise the subscriber's personal data (para. # 0075, 0099-0105).

Regarding claims 9, 20 Forslow teaches wherein the information about said subscriber database to be used is transmitted from the terminal to the serving network (para. # 0075, 0099-0105).

Regarding claims 10, 21 Forslow teaches arranging the subscriber data in said subscriber database to be modified by the terminal and/or the bearer network (para. # 0075, 0099-0105).

Regarding claims 11, 22 Forslow teaches wherein said telecommunication system is a mobile communication system; and said subscriber database comprises data that are at least partly the same as in the subscriber application (para. # 0075, 0099-0105).

### *Claim Rejections - 35 USC § 103*

3.    The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.    Claims 25, 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung (6501746) in view of Joong (6549776).

Regarding claim 25 Leung teaches a terminal device comprising:

a subscriber application configured to establish a connection with a serving network (10, fig. 1), wherein the terminal device (6, fig. 1) is configured to communication with the subscriber database (Home Agent, AAA server, single or combination) by Internet protocol base data transmission Protocol based data transmission, the subscriber database in functional connection with a bearer network (col. 7, lines 5-30, col. 14, lines 7-14, col. 11, lines 4-65);

the terminal device is configured to transmit identification information to said subscriber database (col. 7, lines 5-50, col. 14, lines 7-14, col. 11, lines 4-30);

the terminal device is configured to receive subscriber data from the subscriber database as an automatic result of automated checking to confirm the right of the terminal to use said subscriber database and acceptable authentication of the subscriber database in the bearer network (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40);

the terminal device configured to receive communication services according to at least said received subscriber data, wherein services of the bearer network are activated for use for the terminal by means of said received subscriber data (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40); and

the terminal device is configured to transmit data to said subscriber database to modify the subscriber database contents (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40). Leung does not specifically teach subscriber data being similar to the data

stored in a subscriber application comprised by the terminal, the subscriber data including authentication information.

In an analogous art, Joong teaches creating at least one database comprising subscriber data, from which there is a functional connection to the bearer network, said subscriber data being similar to the data stored in a subscriber application comprised by the terminal, the subscriber data including authentication information (a wireless application protocol WAP gateway 140 receives digital data communication from server 110 in a certain format and converting the format to a WAP format; location information associated with wireless client is stored on a home location register 126 and WAP gateway is connected to the home location register by a signal link 150 and queries the WAP gateway for the location information associated with the wireless client 105, col. 5, lines 14-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Leung by specifically adding feature subscriber data being similar to the data stored in a subscriber application comprised by the terminal, the subscriber data including authentication information in order to enhance providing a server to a wireless client in a direct digital call environment as taught by Joong.

Regarding claim 31 Leung teach a network element device for a telecommunication system comprising (fig. 8):

a subscriber database (Home Agent, AAA server, single or combination) comprising subscriber data, the subscriber database in a functional connection with a bearer network, the subscriber data being similar to the data stored in a subscriber

application comprised by a terminal, the subscriber data including authentication information (col. 6, line 65-col. 7, line 20, col. 11, lines 10-55, col. 12, lines 1-30), wherein

the network element device is configured to communicate with a terminal by Interact Protocol (IP) based data transmission (col. 11, lines 10-30, col. 12, lines 1-30);

the network element device is configured to check the right of the terminal to use the subscriber database (col. 11, lines 10-45, col. 12, lines 1-30, col. 14, lines 7-14);

the network element device is configured to transmit subscriber data transmitted from the subscriber database to the terminal, a serving network, or the terminal and the serving network, in response to the terminal having the right to use said subscriber database (col. 11, lines 10-60, col. 12, lines 1-30). Leung does not specifically teach creating at least one database comprising subscriber data, from which there is a functional connection to the bearer network, said subscriber data being similar to the data stored in a subscriber application comprised by the terminal, the subscriber data including authentication information.

In an analogous art, Joong teaches creating at least one database comprising subscriber data, from which there is a functional connection to the bearer network, said subscriber data being similar to the data stored in a subscriber application comprised by the terminal, the subscriber data including authentication information (a wireless application protocol WAP gateway 140 receives digital data communication from server 110 in a certain format and converting the format to a WAP format; location information associated with wireless client is stored on a home location register 126 and WAP

gateway is connected to the home location register by a signal link 150 and queries the WAP gateway for the location information associated with the wireless client 105, col. 5, lines 14-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Leung  by specifically adding feature creating at least one database comprising subscriber data, from which there is a functional connection to the bearer network, said subscriber data being similar to the data stored in a subscriber application comprised by the terminal, the subscriber data including authentication information in order to enhance providing a server to a wireless client in a direct digital call environment as taught by Joong.

Regarding claims 27, 32 Leung teaches wherein the terminal device is configured to transmit the information about said subscriber database to be used to the serving network (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40, also see Joong).

Regarding claims 28, 33 Leung teaches wherein the terminal device is configured to transmit the address of said subscriber database, such as an IP address, to the serving network; and the terminal device is configured to establish a connection from the terminal device to said subscriber database on the basis of said address (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40, also see Joong).

Regarding claim 29 Leung teaches wherein the terminal device is a mobile terminal and said received subscriber data are at least partly the same as in the subscriber application (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40, also see Joong).

Regarding claim 30 Leung teaches wherein the terminal device is configured to submit the received subscriber data to a value-added application comprised by the terminal device (col. 7, lines 5-30, col. 11, lines 4-65, col. 12, lines 1-40, also see Joong).

### *Response to Arguments*

5.     Applicant's arguments with respect to claims 1-7, 9-23 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 25, 27-33, Applicant's arguments filed 01-26-10 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applicant's arguments but firmly believes that the cited references reasonably and properly meet the claimed limitations. In regard to applicant's arguments against Leung and Jooog, Leung teaches that assigning an IP address to a mobile node during registration.  The registration request (a registration request packet having a home address field, is composed.  A portion of mobile node ID is stored in home address field of request packet as claimed a subscriber application configured to establish a connection with a serving network) is sent by a mobile node and the mobile node ID associated with the mobile node is obtained.  A registration request packet which comprises (mobile node in which number of bytes in the ID is greater than bytes of home address field) the mobile node ID is then composed and sent to a Home Agent associated with the mobile node. An IP address is then assigned to the mobile node if it is ascertained that the mobile node needs an IP address.  A registration reply specifying the IP address assigned to the mobile node is then composed.  Leung further teaches

that Home Agent may dynamically assign a home address. The home address may be

assigned by the Home Agent via a server such as an AAA server that can provide

authorization and accounting services, as well as authentication services. While

authentication determines who an entity is, authorization determines what services a

user is allowed to perform, or access (col. 6, line 65-col. 7, line 30, col. 11, lines 10-55,

col. 12, lines 1-30).

In response to applicant's arguments against the references individually, one

cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986).


*Conclusion*

6.      **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KHAWAR IQBAL whose telephone number is (571)272-

7909.  The examiner can normally be reached on 9 am to 6.30 pm  Monday to

Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, GEORGE ENG can be reached on 571-272-7495.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/George  Eng/                                                    /K. I./
Supervisory Patent Examiner, Art Unit 2617        Examiner, Art Unit 2617